

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANDREW JAMES MCGONIGLE, on
behalf of himself and others similarly
situated,

Plaintiff,

v.

TRANSFORM SR BRANDS LLC,

Defendant.

Case No. 1:25-cv-01674-SRH

Hon. Sunil R. Harjani

Oral Argument Requested

Electronically Submitted

NOTICE OF MOTION TO DISMISS
OR, IN THE ALTERNATIVE, TO STAY

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Wahlquist Declaration and Exhibits A through I thereto, and all pleadings and proceedings filed and had herein, Defendant Transform SR Brands LLC (“Defendant”), by and through its counsel, Kelley Drye & Warren LLP, will move this Court before the Honorable Sunil R. Harjani, United States District Judge for the Northern District of Illinois, on a date and time to be determined by the Court, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the First Amended Class Action Complaint filed by Plaintiff Andrew James McGonigle for failure to state a claim upon which relief may be granted.

PLEASE TAKE FURTHER NOTICE that, in the alternative, Defendant will move this Court for an Order staying proceedings pending the United States Supreme Court’s forthcoming decision in *McLaughlin Chiropractic Associates v. McKesson Corp.*, No 23-1226.

Dated: June 10, 2025

Respectfully submitted,

By: /s/ Becca J. Wahlquist

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of June, 2025, I caused to be served the foregoing *Notice of Motion to Dismiss or, in the Alternative, to Stay, Wahlquist Declaration and Exhibits thereto, and Memorandum of Law* on all counsel of record via the Court's CM/ECF system.

Dated: June 10, 2025
Los Angeles, California

/s/ Becca J. Wahlquist
Becca J. Wahlquist